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Senate Engrossed

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

SENATE BILL 1511

AN ACT

AMENDING TITLE 41, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 41; RELATING TO IDENTIFICATION REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, Arizona Revised Statutes, is amended by adding
3 chapter 41, to read:

4 CHAPTER 41

5 SECURE AND VERIFIABLE IDENTIFICATION

6 ARTICLE 1. GENERAL PROVISIONS

7 41-4251. Identification requirements; exceptions; consequences;
8 definitions

9 A. FOR THE DISBURSEMENT OF PUBLIC SERVICES, INCLUDING LAW ENFORCEMENT
10 SERVICES, IN THIS STATE THAT REQUIRE RECIPIENTS TO PRODUCE IDENTIFICATION, A
11 DEPARTMENT, AGENCY, COMMISSION, BOARD OR DISTRICT OF THIS STATE OR A
12 POLITICAL SUBDIVISION OF THIS STATE SHALL NOT ACCEPT OR RECOGNIZE ANY
13 IDENTIFICATION DOCUMENT UNLESS THE DOCUMENT WAS ISSUED BY A POLITICAL
14 SUBDIVISION OF THIS STATE, A FEDERALLY RECOGNIZED INDIAN TRIBE OR A STATE OR
15 FEDERAL AUTHORITY AND IS VERIFIABLE BY A LAW ENFORCEMENT OR HOMELAND SECURITY
16 AGENCY. LAW ENFORCEMENT SERVICES SHALL NOT BE WITHHELD BECAUSE OF THE
17 PRESENTATION OF AN UNVERIFIABLE IDENTIFICATION DOCUMENT, BUT THE UNVERIFIABLE
18 DOCUMENT CANNOT BE USED TO ESTABLISH IDENTITY. A POLITICAL SUBDIVISION OF
19 THIS STATE SHALL NOT AUTHORIZE ACCEPTANCE OF AN UNVERIFIABLE IDENTIFICATION
20 DOCUMENT AND A PUBLIC OFFICIAL ACTING IN THE CAPACITY OF A PUBLIC OFFICIAL
21 SHALL NOT ACCEPT, ACKNOWLEDGE OR RECOGNIZE ANYTHING OTHER THAN A VERIFIABLE
22 IDENTIFICATION DOCUMENT. FOR THE PURPOSE OF ISSUING ANY FORM OF
23 IDENTIFICATION, LICENSE, PERMIT OR OFFICIAL DOCUMENT TO ANY PERSON, A
24 POLITICAL SUBDIVISION OF THIS STATE SHALL NOT RELY ON, OR USE IN ANY MANNER,
25 ANY DOCUMENT OTHER THAN A VERIFIABLE IDENTIFICATION DOCUMENT.

26 B. AN EXCEPTION TO THIS SECTION SHALL BE MADE ONLY AS REQUIRED BY
27 TREATY OR FEDERAL LAW OR FOR THE PURPOSE OF REPORTING A CRIME. AN ACTION
28 THAT IS KNOWINGLY TAKEN AND THAT IS INCONSISTENT WITH THIS SECTION IS DEEMED
29 TO BE OUTSIDE OF THE OFFICIAL CAPACITY OF THE AGENCY, OFFICER, ELECTED
30 OFFICIAL, AGENT OR EMPLOYEE AND IS NOT PROTECTED BY GOVERNMENTAL IMMUNITY.

31 C. FOR THE PURPOSES OF THIS ARTICLE:

32 1. "LAW ENFORCEMENT AGENCY" MEANS ANY LAW ENFORCEMENT OR INTELLIGENCE
33 AGENCY, DEPARTMENT OR AUTHORITY OF THE UNITED STATES GOVERNMENT, A STATE
34 GOVERNMENT OR A POLITICAL SUBDIVISION OF THE UNITED STATES GOVERNMENT OR A
35 STATE GOVERNMENT.

36 2. "PUBLIC SERVICES" MEANS SERVICES FUNDED IN WHOLE OR IN PART BY
37 STATE OR LOCAL TAX REVENUES.

38 3. "VERIFIABLE" MEANS THAT THE ISSUANCE OF A DOCUMENT BY THE ISSUING
39 AGENCY TO THE INDIVIDUAL NAMED ON THE DOCUMENT IS CAPABLE OF BEING CONFIRMED
40 ON REQUEST BY A UNITED STATES LAW ENFORCEMENT AGENCY.